

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KEVIN PARKER,

Plaintiff,

ORDER

v.

09-cv-436-bbc

LISA KRAUSE-HENGST, Deputy Sheriff;
TRAVIS MCPHEARSON, Deputy Sheriff;
JAMIE PETERSON, Deputy Sheriff;
DAVID CLINE, Deputy Sheriff;
CINDY SCHALLER, Deputy Sheriff;
COLIN FOSTER, Deputy Sheriff;
JOHN BROGAN, Deputy Sheriff Sergeant;

Defendants.

On March 15, 2010, judgment was entered in this case in favor of defendants after I granted their motion for summary judgment on plaintiff Kevin Parker's claim that they used excessive force on him or were deliberately indifferent to any injury he received,

On May 5, 2010 plaintiff filed a signed notice of appeal and a request for leave to proceed on appeal *in forma pauperis*. (His April 24, 2010 notice of appeal was unsigned and returned to him to sign.) Because plaintiff no longer is imprisoned, his request for leave to proceed *in forma pauperis* is governed by Fed. R. App. P. 24 rather than the 1996 Prison

Litigation Reform Act. Fed. R. App. P. 24(a) provides that if a plaintiff has been granted leave to proceed *in forma pauperis* in this court, he "may proceed on appeal *in forma pauperis* unless . . . the district court shall certify that the appeal is not taken in good faith or shall find that the party is otherwise not entitled so to proceed." Plaintiff was granted leave to proceed *in forma pauperis* in this court. Moreover, upon review of the record, I conclude that there is no reason to certify that an appeal would not be taken in good faith or that plaintiff is otherwise not entitled to proceed in forma pauperis on appeal.

ORDER

IT IS ORDERED that plaintiff's request for leave to proceed in forma pauperis on appeal is GRANTED.

Entered this 10th day of May, 2010.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge